

REMARKS

On page 2 of the Office Action, the Examiner rejects claims 1-7, 10-15, 19-26, and 29 under 35 U.S.C. 102(b) as being clearly anticipated by Horlbeck et al. (U.S. Pat. No. 4,208,527). Applicant respectfully disagrees.

The Examiner states that Horlbeck '527 discloses the esterification of TPA with EG in the presence of Mn and Co. Applicant respectfully submits that the Examiner is wrong. Horlbeck '527 discloses the transesterification reaction of the dialkyl ester with glycol, and not the esterification of TPA. As stated numerous times in Horlbeck '527, Cobalt is utilized as a transesterification catalyst. In column 3, line 64-68, Horlbeck '527 states that "cobalt-II salts are employed as catalysts in the transesterification stage. The salts can be added to the reaction mixture individually or as a mixture." Horlbeck '527 goes on to further describe the use of Cobalt salts in column 4, lines 13-28. Therein the patentee states "[c]obalt-II salts are used as an additional catalyst component.... Cobalt-II acetate tetrahydrate in ethylene glycol solution is a preferred catalyst component. Preferably, the transesterification stage is carried out in an inert atmosphere, e.g. nitrogen." Horlbeck adds the cobalt salts in the transesterification stage of the polymerization, and not the polycondensation stage. It would be totally against the teachings of Horlbeck to utilize cobalt in the polycondensation reaction, since Horlbeck's stated purpose of utilizing cobalt is to catalyze the transesterification reaction.

The Applicant however is not utilizing cobalt as a transesterification catalyst. Furthermore, cobalt is not utilized by the Applicant in the transesterification reaction step. Instead, the Applicant utilizes a cobalt additive in the polycondensation reaction in order to increase the whiteness, and decrease the yellowness of the resulting polymer. The polycondensation reaction is one that produces a lot of heat. Even when reaction conditions are carefully controlled, this heat generated by the polycondensation reaction can cause a scorching of the polycondensation product. This results in an increase in the yellowness index of the resulting polymer. Cobalt is added to the polymer matrix in order to "blue" the matrix. This blue color of the cobalt compound has the effect of

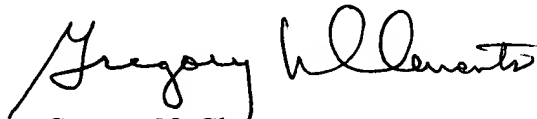
masking the scorched yellow appearance, thereby making the resulting polymer appear whiter. This is disclosed on page 3, second paragraph of the application as filed.

Thus, Horlbeck '529 cannot anticipate the present invention as the Examiner states in the current rejection. Horlbeck '529 does disclose the use of cobalt as a transesterification catalyst for use in the transesterification reaction, not as a bluing/clarifying agent for use in the polycondensation reaction.

In an effort to further clarify the differences between Horlbeck '529 and the current invention, the Applicant has amended claim 1 to clarify that cobalt is to be employed in the polycondensation reaction, and not to be used as a transesterification catalyst in the transesterification reaction. Furthermore, Applicant has amended claim 1 so as to positively claim the addition of at least 1ppm of Cobalt, so that this is no longer optional. Applicant submits that this rejection is therefore traversed.

In light of the amendment to independent claim 1, and the remarks presented herewith, this application is now believed to be in condition for allowance and such favorable action is respectfully requested on behalf of the Applicants.

Respectfully submitted,



Gregory N. Clements
Attorney for Applicants
Registration No. 30,713
DOUGHERTY, CLEMENTS & HOFER
1901 Roxborough Road, Suite 300
Charlotte, North Carolina 28211
Telephone: 704/366-6642
Facsimile: 704/366-9744

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